

1 Donald J. Schmid.
2 (CA Bar No. 120178)
3 **Law Offices of Donald J. Schmid LLC**
4 1251 N. Eddy Street, Suite 200
5 South Bend, Indiana 46617
6 Telephone: (574) 993-2280
Facsimile: (574) 807-0529
Email: schmid@donaldschmidlaw.com

7 *Attorneys for Plaintiff Ronald J. Ambrosetti*

8

9

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 RONALD J. AMBROSETTI,

13 Plaintiff,

14 vs.

15 NAVIENT CORPORATION,
16 NAVIENT SOLUTIONS, INC., and
17 NAVIENT SOLUTIONS LLC,

18 Defendants.

19 Case No.: 2:23-cv-02560--WLH-AS

20 **DECLARATION OF DONALD J.**
SCHMID IN SUPPORT OF
REQUEST FOR REMOTE
ATTENDANCE AT SUMMARY
JUDGMENT HEARING

21 The Hon. Wesley L. Hsu
Courtroom Number: 9B
Date & Time of Hearing: Oct. 6, 2023
at 1:30 p.m.

22

23 I, Donald J. Schmid, declare that:

24 1. I am an attorney licensed to practice in the State of California (and
25 Indiana) and I am the owner of the law firm of Law Offices of Donald J. Schmid

1 LLC, which represents plaintiff Ronald J. Ambrosetti in this action. I have
2 personal knowledge of the facts set forth in this declaration and if called as a
3 witness I could and would competently testify to such facts under oath. I make this
4 declaration in support of my request to appear remotely at the upcoming MSC.

5 2. I am the sole counsel for plaintiff Mr. Ambrosetti in this case.

6 3. Defendant Navient Solution, LLC has filed a motion for summary
7 judgment. The joint brief was filed September 7, 2023 and the hearing on the
8 motion has been noticed for October 6, 2023 at 1:30 p.m. before this Court.

9 4. Prior to the noticing of the hearing on the motion for summary
10 judgment in this case, the federal court in the Northern District of Indiana
11 scheduled an evidentiary hearing to commence on October 5, 2023 in South Bend,
12 Indiana in *United States v. Philip Yoder*, 3:18-cr-00087-JD-MGG. I am sole
13 counsel for the defendant in that case and I am court-appointed.

14 5. I also have a significant family commitment on October 7, 2023. This
15 family commitment is in Michigan. It was planned more than three months ago.

16 6. Because of the October 5, 2023 evidentiary hearing in federal court
17 Indiana and the family commitment in Michigan on October 7, 2023, it would be
18 impractical for me to appear in person at the oral argument in Los Angeles,
19 California on the pending summary judgment motion scheduled for October 6,
20 2023 before this Court.

1 7. I therefore request the permission of this Court to attend the summary
2 judgment motion oral argument remotely via video conference or telephone
3 conference.
4

5 8. A meet and confer was held with opposing counsel consistent with
6 Local Rule 7-3 concerning this matter. Counsel for defendant indicated on
7
8 September 15, 2023 in writing no opposition to this request for remote appearance.

9 9. I declare under penalties of perjury that the foregoing statements are
10 true and correct and that this declaration was executed on September 15, 2023.

/s/ Donald J. Schmid
Donald J. Schmid
(CA Bar No. 120178)